



Arizona Medical Board

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October 20, 2010

Gabriel U. Ogbonnaya, M.D.
Healing Touch Internal Medicine, LLC
2919 S. Ellsworth Rd., Suite 124
Mesa, AZ 85212

RE: **Gabriel U. Ogbonnaya, M.D.**
Case # MD-10-0483A

Dear Dr. Ogbonnaya:

The purpose of this letter is to inform you that during the course of the October 13, 2010 public meeting, the Arizona Medical Board (Board) reviewed the above-referenced complaint and all pertinent evidence and information gathered during the investigation. At the conclusion of its review, the Board voted to issue you this Advisory Letter for failing to obtain a 2-view x-ray of the patient's femur, for inadequate medical records. In addition, the Board voted to issue you a Non-disciplinary CME Order requiring you to obtain 10-15 hours of Board staff pre-approved Category I CME in the management of orthopedic injuries in an urgent care setting, to be completed within six months. The CME hours shall be in addition to the hours required for the biennial renewal of medical licensure. The violation is a one-time occurrence that does not rise to the level of discipline.

An advisory letter is a non-disciplinary action, and is not subject to review by either the Board or the Courts. See *Murphy v. Board of Medical Examiners of the State of Arizona*, 190 Ariz. 441, 949 P.2d 530 (App. 1997). However, the licensee may file a written response to the letter with the Board within thirty days after its receipt A.R.S. § 32-1451(E)(3). If timely received, the response will be attached to the advisory letter and maintained in the licensee's permanent file. The written response will also be hyperlinked to the licensee's profile on the agency's website.

Sincerely,

Amanda Schwabe

Amanda Schwabe
Board Coordinator
E-Mail: boardcoordinator@azmd.gov
Phone: (480) 551-2712
Fax: (480) 551-2705

cc: Permanent File

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **GABRIEL U. OGBONNAYA, M.D.**

4 Holder of License No. **32142**
5 For the Practice of Allopathic Medicine

6 In the State of Arizona.

Case No. MD-10-0483

**ORDER FOR CONTINUING MEDICAL
EDUCATION**

(NON-DISCIPLINARY)

7
8 At its public meeting on October 13, 2010, the Arizona Medical Board ("Board") voted to
9 issue Gabriel U. Ogonnaya, M.D. ("Physician") a non-disciplinary Continuing Medical Education
10 (CME) Order for failing to obtain a 2-view X-ray of the patient's femur and inadequate medical
11 records in violation of A.R.S. §§ 32-1401(27)(e) and (q). The Board ordered Physician to obtain
12 10-15 hours of Board approved non-disciplinary Category I CME in the management of orthopedic
13 injuries in an urgent care setting within six months pursuant to A.R.S. §32-1451(E)(2). The CME
14 hours shall be in addition to the hours required for the biennial renewal of medical licensure. This
15 matter does not rise to the level of discipline.

16 **ORDER**

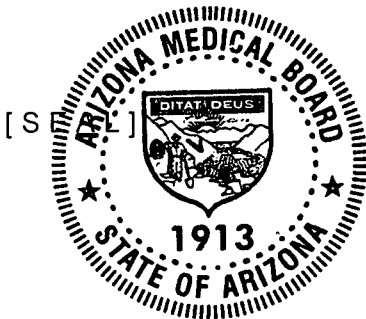
17 IT IS HEREBY ORDERED that Physician shall, within six months, obtain 10-15 hours of
18 Board approved non-disciplinary Category I CME in the management of orthopedic injuries in an
19 urgent care setting pursuant to A.R.S. §32-1451(E)(2). and provide Board Staff with satisfactory
20 proof of attendance. The CME hours shall be in addition to the hours required for biennial renewal
21 of his medical license. Respondent's failure to complete the CME will subject him to future
22 disciplinary action by the Board. A.R.S. § 32-1401(27)(r).

23 **RIGHT TO APPEAL**

24 **NOTICE IS HEREBY GIVEN** that, pursuant to A.R.S. § 41-1092.03, any person aggrieved by this
25 decision may apply to the Board, in writing, within thirty (30) days of receipt and request a public

1 hearing with respect to this order. You may request a hearing by filing a notice of appeal. The
2 notice of appeal must be filed with the Board's Executive Director, and should include your name,
3 address, the action being appealed, and a concise statement of the reasons for the appeal. If you
4 request a public hearing, the hearing will be scheduled within sixty (60) days of receipt of your
5 request. If you request a public hearing, you also have the right to request an informal settlement
6 conference by filing a written request with the Board, pursuant to A.R.S. § 41-1092.06, no later than
7 twenty (20) days before the scheduled hearing. The conference will be held within fifteen (15) days
8 after receipt of your request. Please note that you waive any right to object to the participation of
9 the Board's representative in the final administrative decision of the matter if it is not settled at the
10 conference.

11 DATED this 19TH day of October, 2010.



ARIZONA MEDICAL BOARD

13 By [Signature]
14 LISA S. WYNN
15 Executive Director
16

17
18 **ORIGINAL** of the foregoing filed this
20th day of October, 2010 with:

19 Arizona Medical Board
20 9545 East Doubletree Ranch Road
21 Scottsdale, Arizona 85258

22 **EXECUTED COPY** of the foregoing
23 Mailed by US Mail this 20th day October 2010 to:

24 Gabriel U. Ogbonnaya, M.D.
25 Address of Record

[Signature]